

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

Paper No. 16

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte GREGORY M. MAROCCO

**Appeal No. 2001-1671
Application 09/135,804**

ORDER REMANDING TO EXAMINER

MAILED

JUL 29 2002

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

An Examiner's Answer was entered into the record on January 19, 2001 (Paper No. 15). On Page 3 of the Examiner's Answer, the examiner cites JP 64-12017 as prior art. The record, however, does not contain an English language translation of the complete reference.

**Appeal No. 2001-1671
Application 09/135,804**

Accordingly, it is

ORDERED that the application be remanded to the examiner for obtaining an English language translation of the complete reference JP 64-12017, and for any further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

**BOARD OF PATENT APPEALS
AND INTERFERENCES**



CRAIG R. FEINBERG
Program and Resource Administrator
(703) 308-9797

Richard A. Litman, Esq.
Litman Law Offices, Ltd.
P.O. Box 15035
Arlington, VA 22215

CRF:llf